

1 MAYER BROWN LLP
MICHAEL A. MOLANO (SBN 171057)
2 mmolano@mayerbrown.com
JENNIFER T. LORCH (SBN 267647)
3 jlorch@mayerbrown.com
JONATHAN A. HELFGOTT (SBN 278969)
4 jhelfgott@mayerbrown.com
Two Palo Alto Square
5 Suite 300
3000 El Camino Real
6 Palo Alto, CA 94306-2112
Telephone: (650) 331-2000
7 Facsimile: (650) 331-2060

8 JOHN NADOLENCO (SBN 181128)
jnadolenco@mayerbrown.com
9 RUTH ZADIKANY (SBN 260288)
rzadikany@mayerbrown.com
10 350 South Grand Avenue
25th Floor
11 Los Angeles, CA 90071-1503
Telephone: (213) 229-9500
12 Facsimile: (213) 625-0248

13 Attorneys for Plaintiff
CLEAN AIR ENGINEERING-MARITIME,
14 INC.

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**
17 **WESTERN DIVISION**
18

19 CLEAN AIR ENGINEERING-
MARITIME, INC., a California
20 corporation,

21 Plaintiff,

22 vs.

23 ADVANCED CLEANUP
TECHNOLOGIES, INC., and
24 ADVANCED ENVIRONMENTAL
[sic] GROUP, LLC, a California
25 corporation,

26 Defendants.
27
28

Case No. 2:12-cv-08669-JAK-VBK

**PLAINTIFF CLEAN AIR
ENGINEERING-MARITIME,
INC.'S NOTICE OF MOTION
AND MOTION FOR SUMMARY
JUDGMENT**

Date: June 23, 2014
Time: 8:30 a.m.
Place: Roybal 750 – 7th Floor
Judge: John A. Kronstadt

NOTICE OF MOTION AND MOTION

Please take notice that Plaintiff CLEAN AIR ENGINEERING-MARITIME, INC. will and hereby does move for summary judgment of (1) non-infringement on Count 1 of Plaintiff's First Amended Complaint (Dkt. 13) and Counts 1 and 2 of Defendants' Counterclaims (Dkt. 43) on the grounds that no CAEMI products infringe either of the patents-in-suit;¹ and (2) invalidity as to claim 19 of the '710 Patent, on the grounds that it is anticipated by U.S. Patent No. 6,185,934 ("Teboul"). The hearing will take place at 8:30 a.m. on June 23, 2014 in Courtroom 750 of the United States District Court located at 255 East Temple Street, Los Angeles, California 90012.

The motion will be made pursuant to Federal Rule of Civil Procedure 56 on the grounds that, based upon the Claim Construction Order, there exist no genuine issues of material facts remaining as to items (1) and (2) detailed above.

Pursuant to L.R. 7-3, this motion is made following the conference of counsel which took place on March 5, 2014.

Pursuant to this Court's May 20, 2014 Order (Dkt. 96), Plaintiff was given leave to exceed the motion page limits and file a memorandum of points and authorities in support of this motion not exceeding 30 pages.

The Motion will be based on this Notice of Motion and Motion, the Memorandum of Points and Authorities, the Separate Statement of Uncontroverted Facts and Conclusions of Law, the Declaration of Michael A. Molano along with the exhibits attached thereto, the Declaration of Marko Princevac, Ph.D. along with the exhibits attached thereto, the [Proposed] Judgment Regarding Plaintiff's Motion for Summary Judgment, the pleadings and papers on file in this action, and any other evidence or argument that the Court allows the parties to submit at or before the hearing.

¹ U.S. Patent No. 7,258,710 ("710 Patent") and U.S. Patent No. 8,327,631 ("631 Patent").

1 Dated: May 23, 2014

Respectfully submitted,

2 MAYER BROWN LLP

3 By: /s/ Michael A. Molano

4 Michael A. Molano

5 Attorneys for Plaintiff CLEAN AIR
6 ENGINEERING-MARITIME, INC.